

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

Ameren Transmission Company of Illinois	:	
	:	
Petition for a Certificate of Public Convenience	:	
and Necessity, pursuant to Section 8-406.1 of	:	
the Illinois Public Utilities Act, and an Order	:	
pursuant to Section 8-503 of the Public Utilities	:	No. 12-0598
Act, to Construct, Operate and Maintain a New	:	
High Voltage Electric Service Line and Related	:	
Facilities in the Counties of Adams, Brown, Cass,	:	
Champaign, Christian, Clark, Coles, Edgar,	:	
Fulton, Macon, Montgomery, Morgan, Moultrie,	:	
Pike, Sangamon, Schuyler, Scott, and Shelby,	:	
Illinois.	:	

**RESPONSE TO AMEREN TRANSMISSION COMPANY OF  
ILLINOIS' MOTION FOR ENTRY OF CASE MANAGEMENT  
ORDER AND COORDINATED SCHEDULE**

COME NOW the Moultrie County Property Owners, by their attorneys, Lueders, Robertson & Konzen, and pursuant to the direction of the Administrative Law Judges, respond to Ameren Transmission Company of Illinois' ("Company") Motion for Entry of a Case Management Order and Coordinated Schedule ("Motion"), filed herein on November 30, 2012 and state as follows:

1. Under Section 8-406.1 of the Public Utilities Act, the Company appears to be entitled to an expedited procedure in relation to its Petition for a Certificate of Public Convenience and Necessity for the construction of certain high voltage electric service lines and related facilities. (220 ILCS 5/8-406.1(a)). In addition, Section 8-406.1 requires that the ALJs set a schedule for discovery that "... takes into consideration the expedited nature of the proceeding." (220 ILCS 5/8-406.1(b)). This expedited process actually deprives property owners of a fair opportunity to test the Company's case for a Certificate of Public Convenience and Necessity. However, the Moultrie County Property Owners understand the Administrative Law Judges must set a schedule consistent with Section 8-

406.1 in spite of its inherent unfairness. Therefore, without waiving any factual or legal argument that they may have in relation to the expedited process, the Moultrie County Property Owners have made this Response.

2. The schedule contained in the Company's Motion does not adequately take into consideration the expedited nature of this proceeding. Specifically, between the time proposed for filing of Staff and Intervenor direct testimony and the time for filing the Company's surrebuttal, Staff and Intervenors would be given seven (7) days to respond to Ameren data requests. (Motion, Proposed Case Management Order at 2nd page). However, during that same period of time, the Company would be given ten (10) days to respond to Staff and Intervenor data requests. Given the expedited nature of the proposed schedule, the Company should have only seven (7) days between the date of the filing of Staff and Intervenor testimony and the date of filing of surrebuttal testimony in which to reply to the data requests of Staff and Intervenors. This would be fully consistent with the Case Management Order referenced by the Company in its Motion. (Motion, Par. 7, referencing Case Management Order in Docket 11-0282, where the Company and Staff and Intervenors were given seven days between the date of filing of Staff and Intervenor testimony and the date of filing of Company surrebuttal in which to reply to one another's data requests.)

3. The schedule contained in the Company's proposed Case Management Order contemplates the filing of Staff and Intervenor direct testimony on January 31, 2012. Moultrie County Property Owners have been advised that preparation of material and analysis needed to support their direct testimony could take a minimum of four weeks and possibly as long as eight weeks to develop and prepare, not including the proposed fourteen (14) day time period for the Company to respond to Staff and Intervenor data requests. The Company's Petition in this cause was filed on November 7, 2012. Moultrie County Property owners filed their Petition to Intervene on

November 27, 2012 and their first discovery request on December 4, 2012. They have filed two additional discovery requests. The most recent on December 6, 2012. The proposed time for filing Staff and Intervenor testimony in this cause does not permit sufficient time for the preparation of the direct case of the Moultrie County Property Owners. Therefore, at a minimum, the proposed schedule should be modified to move the filing date for Staff and Intervenor direct testimony to February 14, 2013. In addition, the schedule should be modified to allow Staff, Intervenor and the Company to file Staff and Intervenor cross answering testimony and Company rebuttal on March 12, 2013.

4. If the schedule proposed by the Moultrie County Property Owners is adopted as described in Paragraph 3, then the Case Management Order should reflect that all parties will have seven (7) days from the date of filing of Staff and Intervenor direct testimony to the date cross-examination begins (March 26, 2013) in which to respond to one another's data requests.

5. If additional time is needed for Commission deliberation, etc., then the ALJs should request the parties to consider waiving their right to file a reply brief on exceptions in this cause.

WHEREFORE, Moultrie County Property Owners respectfully request:

(i) The Moultrie County Property Owners modifications to the schedule as described in Paragraph 3 hereof to be adopted.

(ii) If the schedule proposed by the Moultrie County Property Owners in Paragraph 3 of this Motion is adopted, then all parties, including the Company, should have seven days to respond to data requests from the date of filing of Staff and Intervenor testimony to the commence of cross-examination on March 26, 2013.

(iii) In the alternative, if the schedule proposed by the Company is adopted, the Case Management Order should be modified to provide Ameren with seven days, instead of ten days, to

respond to Staff and Intervenor data requests, between the time of filing Staff and Intervenor direct testimony and Company surrebuttal testimony.

Respectfully submitted,

BY: \_\_\_\_\_



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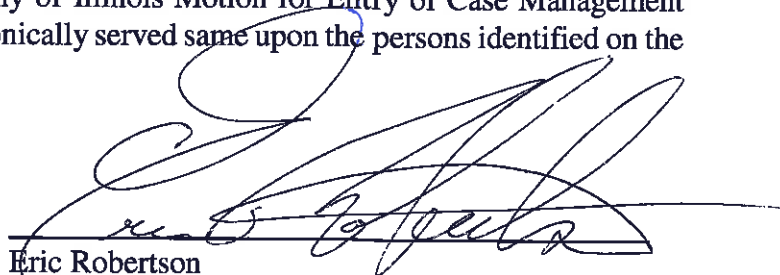
PROOF OF SERVICE

STATE OF ILLINOIS :

SS

COUNTY OF MADISON :

I, Eric Robertson, being an attorney admitted to practice in the State of Illinois and one of the attorneys for Dale Crawford, Roger J. Roney, Phil Martin, Timothy Singer, Cindy L. Harshman and Greg R. Sanders, (as the Moultrie County Property Owners), herewith certify that I did on the 10th day of December, 2012, electronically file with the Illinois Commerce Commission, the MCPO Response to Ameren Transmission Company of Illinois' Motion for Entry of Case Management Order and Coordinates Schedule, and electronically served same upon the persons identified on the Commission's official service list.



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SUBSCRIBED AND SWORN to me, a Notary Public, on this 10th day of December, 2012.



Notary Public

